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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOSEPH ROBINSON,

12 Plaintiff,

2:04-1888-GEB-DAD-PS

13 vs.

14 STATE OF CALIFORNIA, et al.,

15 Defendants.

ORDER

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18 Plaintiff, proceeding pro se, filed the above-entitled
19 action. The matter was referred to a United States Magistrate
20 Judge pursuant to Local Rule 72-302(c)(21).

21 On October 24, 2005, the magistrate judge filed
22 findings and recommendations herein which were served on all
23 parties and which contained notice to all parties that any
24 objections to the findings and recommendations were to be filed
25 within ten days. Plaintiff has filed objections to the findings
26 and recommendations and defendants have filed a reply.

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the court finds the findings and recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The findings and recommendations filed October 24,
8 2005, are adopted in full;

9 2. Defendants Reichle and Hagwood are dismissed from
10 this action pursuant to plaintiff's voluntary request. See Fed.
11 R. Civ. P. 41(a)(2);

12 3. The pending motion to dismiss pursuant to Rule
13 12(b)(6) is granted as to defendants Plumas County, Jeff Cunan
14 and Gary McGowan;

15 4. Plaintiff's second amended complaint is dismissed
16 without further leave to amend; and

17 5. The Clerk is directed to close this case.

18 Dated: November 22, 2005

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20 /s/ Garland E. Burrell, Jr.
21 GARLAND E. BURRELL, JR.
22 United States District Judge
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